

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 479, As Amended

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO VETERANS; AMENDING CHAPTER 9, TITLE 66, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 66-908, IDAHO CODE, TO PROVIDE FOR THE APPOINTMENT OF THE ADMINISTRATOR OF THE DIVISION OF VETERANS SERVICES OR HIS DESIGNEE AS PAYEE, FIDUCIARY OR OTHER AGENT FOR THE PURPOSES OF RECEIVING FUNDS PAYABLE TO A RESIDENT OF A VETERANS HOME, TO PROVIDE FOR NOTICE, TO PROVIDE FOR APPEAL, TO AUTHORIZE RULEMAKING, TO PROVIDE THAT MONEYS SHALL BE KEPT IN TRUST, TO PROVIDE FOR APPLICATION OF FUNDS TO CERTAIN EXPENSES, TO PROVIDE FOR USE OF FUNDS FOR OTHER REASONABLE EXPENSES, TO PROVIDE FOR AN ACCOUNTING OF FUNDS AND TO PROVIDE FOR DISTRIBUTION OF FUNDS UPON DISCHARGE OF A RESIDENT AND PAYMENT OF ALL OUTSTANDING EXPENSES OF THE RESIDENT KNOWN TO THE ADMINISTRATOR.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 9, Title 66, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 66-908, Idaho Code, and to read as follows:

66-908. RECEIPT OF RESIDENT FUNDS. (1) Notwithstanding any other provision of law, the administrator of the division of veterans services or his designee may be appointed by the paying entity as a payee, fiduciary or other agent for the purposes of receiving funds payable to a resident of a veterans home of this state. Prior to appointing the administrator as a recipient of resident funds, the paying entity shall conduct its customary process for determining the need for the appointment and conclude that the appointment of the administrator complies with the laws, policies and procedures applicable to the paying entity. The administrator shall provide the resident with notice and an opportunity to appeal the appointment before accepting appointment as a recipient of the resident's funds. The process for appeal of the appointment shall be set forth in rules promulgated by the administrator.

(2) All moneys received pursuant to this section shall be kept by the administrator in trust for the benefit of the resident. The administrator may apply any portion of the funds held in trust to the expenses of the resident arising from residence at a veterans home. The administrator may apply funds not required for the expenses arising from residence at a veterans home to payment for other reasonable expenses of the resident.

(3) The administrator shall maintain an accounting of the funds received and distributed under this section. A copy of the accounting shall be available to the resident and to other parties designated by the resident.

(4) Upon a resident's discharge from a veterans home and the payment of all outstanding expenses of the resident known to the administrator, the administrator shall distribute funds held on behalf of the resident under this section to the resident or to his designee.